## TABLE OF CONTENTS—VOLUME 65

### SYMPOSIUM ON MANUFACTURED HUMANITY: THE ETHICS AND LEGALITY OF STEM CELL RESEARCH, BIOENGINEERING, AND HUMAN CLONING


Stem Cells from a Biological Perspective: What They Are, Where They Are Found, and What Can Be Done with Them ..... 587
*William D. Niemi, Ph.D.*

Embryonic Stem Cell Research and Respect for Human Life: Philosophical and Legal Reflections ..... 597
*James J. McCartney, Ph.D.*

Human Cloning and the Right to Reproduce ..... 625
*Elizabeth Price Foley*

Human Cloning and Genetic Engineering: The Case for Proceeding Cautiously ..... 649
*Barry Brown*

Biotech and Theodicy: What Can and What Ought We To Do in Procreative Technology? ..... 679
*Rolf Ahlers, Dr. Theol.*

The Ethics Weave in Human Genomics, Embryonic Stem Cell Research, and Therapeutic Cloning: Promoting and Protecting Society's Interests ..... 701
*Gerard Magill, Ph.D.*

Ethical Issues in Stem Cell Research ..... 729
*John A. Balint, M.D., F.R.C.P.*

"The American Breed": Nazi Eugenics and the Origins of the Pioneer Fund ..... 743
*Paul A. Lombardo, J.D., Ph.D.*


### STATE CONSTITUTIONAL COMMENTARY: SEVENTH ANNUAL ISSUE


Tribute to Justice Stanley Mosk ..... 857
*Gerald F. Uelmen*

Honoring the Record Service of Justice Stanley Mosk, California Supreme Court (1964–present) ..... 863
*Celebration Session*

In Defense of Specific Proportionality Review ..... 883
*Evan J. Mandery*

A Reply to Professor Mandery ..... 935
*Barry Latzer*

The Quest for Privacy: State Courts and an Elusive Right ..... 945
*Stanley H. Friedelbaum*

Political Cycles of Life and Death: Capital Punishment as Public Policy in California ..... 991
*John H. Culver, Ph.D.*
*Chantel Boyens*

The Mandatory Constitutional Convention Question Referendum: The New York Experience in National Context ..... 1017
*Gerald Benjamin*

The Economics of Shootouts: Does the Passage of Capital Punishment Laws Protect or Endanger Police Officers? ..... 1051
*Geoffrey Rapp*

Court of Appeals Update, 2000 & 2001: Conservative Voting, Narrow Rulings ..... 1085
*Vincent Martin Bonventre*
*Kelly Galligan*

Children's Justice: The Legislative and Judicial Career of Minnesota Chief Justice Kathleen A. Blatz ..... 1137
*Molly J. Slingerland*

Choosing a "Primacy" Approach: Chief Justice Christine M. Durham Advocating States Rights in Our Federalist System ..... 1161
*Sinéad McLoughlin*

Joyce L. Kennard: An Independent Streak on California's Highest Court ..... 1181
*Jeremy Speich*

DEDICATIONS

A Tribute to the Honorable Hugh R. Jones ..... 1
*Hon. Judith S. Kaye*

Remembering Judge Hugh R. Jones: A Professional and Personal Inspiration ..... 5
*Leonard W. Krouner*

Remembering Judge Hugh R. Jones ..... 9
*Douglas E. Abrams*
*Mary Lou Crowley*

Reflections on the Life and Work of the Honorable Hugh R. Jones ..... 13
*Stephen P. Younger*

LECTURES
Hugh Jones and Modern Courts: The Pursuit of Justice Then and Now ..... 1123
*Hon. Richard C. Wesley*

DISCUSSION
The Historical Development of SEQRA ..... 323
*Panel Discussion*

Reflections on Environmental Justice ..... 357
*Michael B. Gerrard*

INTRODUCTION
SEQRA: Effective Weapon—If Used as Directed ..... 315
*Philip Weinberg*

AFTERWORD
SEQRA's Silver Anniversary: Reviewing the Past, Considering the Present, and Charting the Future ..... 577
*Patricia E. Salkin*

ARTICLES
The Circuitous Journey to the Patients' Bill of Rights: Winners and Losers ..... 17
*Sharon Reece*

The Archaeological Duty of Care: The Legal, Professional, and Cultural Struggle Over Salvaging Historic Shipwrecks ..... 97
*Christopher R. Bryant*

A Plymouth, a Parolee, and the Police: The Case for the Exclusionary Rule in Civil Forfeiture After *Pennsylvania Board of Probation and Parole v. Scott* ..... 147
*Mark J. Crandley*

Judicial Suicide or Constitutional Autonomy? A Capital Defendant's Right to Plead Guilty ..... 181
*Barry J. Fisher*

Judicial Review Under SEQRA: A Statistical Study ..... 365
*Michael B. Gerrard*

The Substantive Reach of SEQRA: Aesthetics, Findings, and Non-Enforcement of SEQRA's Substantive Mandate ..... 393
*John W. Caffry*

Unlocking the Courthouse Doors: Removal of the "Special Harm" Standing Requirement Under SEQRA ..... 421
*Joan Leary Matthews*

Thinking Globally and Acting Locally: Reflections About the Possible Impacts of Globalization in the Evolution of SEQRA ..... 461
*David L. Markell*

CASE STUDY

Showdown Over Snake Mountain: How a New Local Government Was Formed to Resolve a Land-Use Dispute ..... 475
*Joseph C. LaValley III*

COMMENTS

Grandparents' Visitation Rights: The Constitutionality of New York's Domestic Relations Law Section 72 After *Troxel v. Granville* ..... 205
*Robyn L. Ginsberg*

Maine's Prescription Drug Plan: A Look into the Controversy ..... 243
*Whitney Magee Phelps*

The Scope of Federal Authority Under the Endangered Species Act: Implications for Local Land Use Planning ..... 497
*Jacalyn R. Fleming*

Seeking the Spirit of SEQRA from Beneath the Paperwork ..... 539
*Todd Gregory Monahan*

A Comparative Look at the U.S. and British Approaches to Stem Cell Research ..... 831
*Cynthia Donley Young*

NOTE

*Sante Fe Independent* School *District v. Doe*: Mapping the Future of Student-Led, Student-Initiated Prayer in Public Schools ..... 271
*Jeremy Speich*